

CR07-2012

REC'D JUN - 6 2008

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.2.1 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:07-cr-00318-1
Internal Use Only

Case title: USA v. Downing

Date Filed: 05/19/2007

Date Terminated: 05/30/2007

Assigned to: Honorable Martin C.
Ashman

Defendant (1)

David Anthony Downing
TERMINATED: 05/30/2007

represented by **Todd S. Pugh**
Thomas M. Breen and Associates
53 West Jackson Boulevard
Suite 1460
Chicago, IL 60604
(312) 360-1001
Email: tpugh@defend-chicago.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Pending Counts

None

Highest Offense Level (Opening)

None

Terminated Counts

None

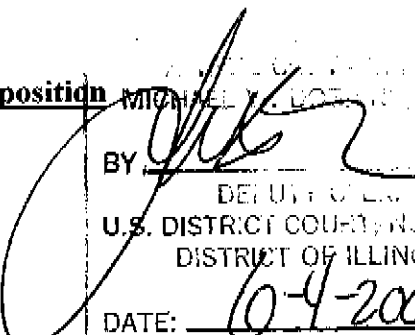
Highest Offense Level (Terminated)

None

Complaints

18:371.F--conspiracy to defraud the
United States

Disposition**Disposition**

BY	
DEPUTY CLERK	
U.S. DISTRICT COURT, NORTHERN	
DISTRICT OF ILLINOIS	
DATE:	6-4-2008

Disposition

Plaintiff**USA**represented by **AUSA**







United States Attorney's Office (NDIL)
 219 South Dearborn Street
 Suite 500
 Chicago, IL 60604
 (312) 353-5300
 Email: USAILN.ECFAUSA@usdoj.gov
ATTORNEY TO BE NOTICED





Pretrial Services

435-5545
 Email:
ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov
ATTORNEY TO BE NOTICED

Benjamin F Langner

United States Attorney's Office (NDIL)
 219 South Dearborn Street
 Suite 500
 Chicago, IL 60604
 (312) 353-2817
 Email: benjamin.langner@usdoj.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/19/2007	 <u>1</u>	Rule 5(c)(3) waiver signed by Judge Martin C. Ashman as to David Anthony Downing (1) (yap,) (Entered: 05/22/2007)
05/19/2007	 <u>2</u>	ARREST of defendant David Anthony Downing (yap,) (Entered: 05/22/2007)
05/19/2007	 <u>2</u>	MINUTE entry before Judge Martin C. Ashman as to David Anthony Downing: Removal proceedings held. Defendant appears in response to arrest on 5/19/07. Defendant informed of his rights. Status hearing set for 5/21/2007 at 03:30 PM. Mailed notice (yap,) (Entered: 05/22/2007)
05/21/2007	 <u>3</u>	MINUTE entry before Judge Martin C. Ashman as to David Anthony Downing: Status hearing held. Identity hearing, preliminary examination hearing and detention hearing set for 5/30/07 at 3:30 p.m. Mailed notice (yap,) (Entered: 05/22/2007)
05/24/2007	 <u>4</u>	ATTORNEY Appearance for defendant David Anthony Downing by Todd S. Pugh (Pugh, Todd) (Entered: 05/24/2007)
05/30/2007	 <u>5</u>	MINUTE entry before Judge Martin C. Ashman as to David Anthony Downing: Case called for identity hearing, preliminary examination hearing

		and detention hearing. Defendant waives identity hearing. Defendant waives his right to preliminary examination without prejudice. Defendant waives his right to a detention hearing without prejudice. Order defendant detained pending further court proceedings without prejudice. Order defendant removed to the United States District Court for the Northern District of Iowa in custody. (Terminated defendant David Anthony Downing). Mailed notice (yap,) (Entered: 05/30/2007)
06/08/2007	 3	CERTIFIED and Transmitted to Northern District Court of Iowa, the complete record as to David Anthony Downing consisting of transmittal letter, original pleadings, and certified copy of docket entries by certified mail no. #7006 0100 0001 7312 0903. (yap,) (Entered: 06/08/2007)
07/02/2007	 6	RETURN of U.S. Post Office receipt #7006 0100 0001 7312 0903 received 6/25/07 as to David Anthony Downing. (yap,) (Entered: 07/05/2007)
07/05/2007	 7	ACKNOWLEDGMENT of Rule 40 documents received 6/25/07 by District of Iowa, Cedar Rapids as to David Anthony Downing. (yap,) (Entered: 07/09/2007)
05/30/2008	 8	TRANSCRIPT of proceedings for the following dates: 5/19/07, 5/30/07 and 5/21/07; Before the Honorable Honorable Martin C. Ashman as to David Anthony Downing, Daniel Francis Berger and Azar Berend Niekamp (3 vols: 8-1 through 8-3). (yap,) (Entered: 05/30/2008)

C707-2012

REC'D JUN - 6 2008

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.2.1 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:07-cr-00319-1
Internal Use Only

Case title: USA v. Berger

Date Filed: 05/19/2007

Date Terminated: 05/23/2007

Assigned to: Honorable Martin C.
Ashman

Defendant (1)**Daniel Francis Berger***TERMINATED: 05/23/2007*represented by **Gary Waite Adair**

Gary W. Adair & Associates

900 West Jackson

Suite 5 East

Chicago, IL 60607

(312) 738-1100

Email: gadairlaw2000@yahoo.com

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: Retained***Pending Counts**

None

Highest Offense Level (Opening)

None

Terminated Counts

None

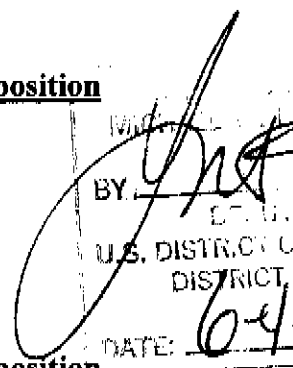
Highest Offense Level (Terminated)

None

Complaints

21:841A=CD.F controlled substance,
sell, distribute or dispense

Disposition**Disposition****Disposition**

BY: 
U.S. DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS
DATE: 6-4-2008

Plaintiff**USA**represented by **AUSA**






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ATTORNEY TO BE NOTICED








Pretrial Services

435-5545
 Email:
ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov
ATTORNEY TO BE NOTICED

Benjamin F Langner

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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/19/2007	 <u>1</u>	Rule 5(c)(3) waiver signed by Judge Martin C. Ashman as to Daniel Francis Berger (1) (emd,) (Entered: 05/22/2007)
05/19/2007	 <u>2</u>	ARREST of defendant Daniel Francis Berger (emd,) (Entered: 05/23/2007)
05/19/2007	 <u>3</u>	MINUTE entry before Judge Martin C. Ashman : Removal proceedings held. Defendant appears in response to arrest on 5/19/07. Defendant informed of his rights. Gary W. Adair files his appearance as retained counsel. Status hearing set for 5/21/07 at 3:30pm. Mailed notice (emd,) (Entered: 05/23/2007)
05/19/2007	 <u>4</u>	ATTORNEY Appearance for defendant Daniel Francis Berger by Gary Waite Adair (emd,) (Entered: 05/23/2007)
05/21/2007	 <u>5</u>	MINUTE entry before Judge Martin C. Ashman : Status hearing held. Defendant waives identity hearing. Defendant waives his right to preliminary examination. Enter a finding of probable cause; order defendant bound to the District Court for further proceedings. Detention hearing set for 5/23/2007 at 10:00a.m. Mailed notice (emd,) (Entered: 05/23/2007)

05/23/2007	 <u>5</u>	ATTORNEY Appearance for defendant Daniel Francis Berger by Gary Waite Adair (Adair, Gary) (Entered: 05/23/2007)
05/23/2007	 <u>6</u>	MINUTE entry before Judge Martin C. Ashman : Detention hearing held. Order defendant removed to the United States District Court for the Northern District of Iowa. (Terminated defendant Daniel Francis Berger). Mailed notice (emd,) (Entered: 05/24/2007)
05/23/2007	 <u>7</u>	CASH Bond as to Daniel Francis Berger in amount of \$10,000.00, Receipt # 10339607 (Redacted image) (emd,) (Entered: 05/24/2007)
05/23/2007	 <u>8</u>	ORDER Setting Conditions of Release as to Daniel Francis Berger (1) \$10,000.00 cash, Signed by Judge Martin C. Ashman on 5/23/07. (Redacted image) (emd,) (Entered: 05/24/2007)
05/25/2007	 <u>9</u>	CERTIFIED and Transmitted to USDC ND/Iowa, Cedar Rapids, the complete record consisting of cover letter, complete case file, certified copy of docket entries by certified mail no. 7004 2510 0001 9641 8154 as to Daniel Francis Berger. (emd,) Modified on 5/25/2007 (emd,). (Entered: 05/25/2007)
06/04/2007	 <u>10</u>	RETURN of U.S. Post Office receipt number 7004 2510 0001 9641 8154 received 5/29/07 as to Daniel Francis Berger: (emd,) (Entered: 06/06/2007)
06/05/2007	 <u>11</u>	LETTER acknowledging receipt of transfer of case, received 5/29/07, as to Daniel Francis Berger. (emd,) (Entered: 06/06/2007)

REC'D JUN - 6 2008
CR07-2012

United States District Court
Northern District of Illinois - CM/ECF LIVE, Ver 3.2.1 (Chicago)
CRIMINAL DOCKET FOR CASE #: 1:07-cr-00320-1
Internal Use Only

Case title: USA v. Niekamp

Date Filed: 05/19/2007

Date Terminated: 05/30/2007

Assigned to: Honorable Martin C.
Ashman**Defendant (1)****Azar Berend Nickamp****TERMINATED: 05/30/2007**represented by **Daniel Eli Radakovich**

Attorney at Law

900 West Jackson Boulevard

5-East

Chicago, IL 60607

(312) 733-5116

Email: danielradakovich@yahoo.com

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Pending Counts**

None

Highest Offense Level (Opening)

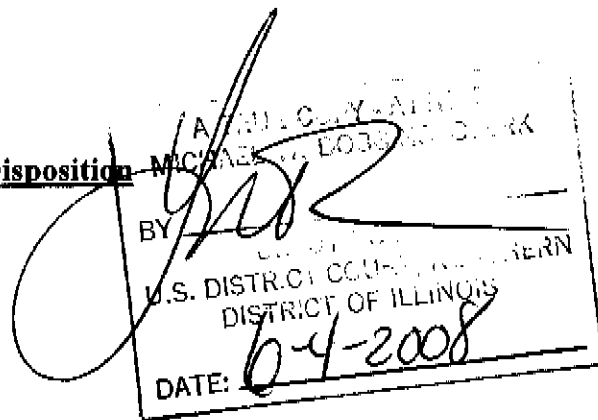
None

Terminated Counts

None

Highest Offense Level (Terminated)

None

Complaints21:841 A=CD.F controlled substance,
sell, districute or dispense**Disposition****Disposition****Disposition**

Plaintiff**USA**represented by **Benjamin F Langner**







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 Email: benjamin.langner@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED




AUSA

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ATTORNEY TO BE NOTICED

Pretrial Services

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 ilnptdb_Court_Action_Notice@ilnpt.uscourts.gov
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
05/19/2007	 <u>1</u>	Rule 5(c)(3) waiver signed by Judge Martin C. Ashman as to Azar Berend Niekamp (1) (emd,) (Entered: 05/22/2007)
05/19/2007		ARREST of defendant Azar Berend Niekamp (emd,) (Entered: 05/23/2007)
05/19/2007	 <u>2</u>	MINUTE entry before Judge Martin C. Ashman : Removal proceedings held. Defendant appears in response to arrest on 5/19/07. Defendant informed of his rights. Status hearing set for 5/21/07 at 3:30p.m. Mailed notice (emd,) (Entered: 05/23/2007)
05/21/2007	 <u>3</u>	MINUTE entry before Judge Martin C. Ashman : Status hearing held. Identity hearing, preliminary examination hearing and detention hearing set for 5/30/07 at 3:30p.m. Mailed notice (emd,) (Entered: 05/23/2007)
05/23/2007	 <u>4</u>	ATTORNEY Appearance for defendant Azar Berend Niekamp by Daniel Eli Radakovich (Radakovich, Daniel) (Entered: 05/23/2007)
05/30/2007	 <u>5</u>	MINUTE entry before Judge Martin C. Ashman : Case called for identity hearing, preliminary examination hearing and detention hearing. Defendant

		waives identity hearing. Defendant waives his right to preliminary examination without prejudice. Defendant waives his right to a detention hearing without prejudice. Order defendant detained pending further court proceedings without prejudice. Order defendant removed to the United States District Court for the Northern District of Iowa in custody. (Terminated defendant Azar Berend Niekamp). Mailed notice (emd,) (Entered: 05/31/2007)
06/06/2007	 <u>6</u>	CERTIFIED and Transmitted to USDC ND/IA, Cedar Rapids the complete record consisting of cover letter, complete case file, certified copy of docket entries by certified mail no. 7004 2510 0001 9641 8130 as to Azar Berend Niekamp. (emd,) (Entered: 06/06/2007)
06/12/2007	 <u>7</u>	LETTER acknowledging receipt of transfer of case, received on 6/8/07 in Cedar Rapids, IA as to Azar Berend Niekamp (emd,) (Entered: 06/13/2007)
06/14/2007	 <u>8</u>	RETURN of U.S. Post office receipt no. 7004 2510 0001 9641 8130 by Azar Berend Niekamp (emd,) (Entered: 06/18/2007)

CLERK'S FILE COPY

1 TRANSCRIBED FROM DIGITAL RECORDING

2 IN THE UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF ILLINOIS
4 EASTERN DIVISION

5 UNITED STATES OF AMERICA,

6 Plaintiff, **DOCKETED**
7 MAY 30 2008

8 vs.

9 No. 07 CR 318
10 07 CR 319
11 07 CR 320

12 DAVID ANTHONY DOWNING, DANIEL FRANCIS)

13 BERGER, AZAR BEREND NIEKAMP,

14 Defendants.

15 Chicago, Illinois
16 May 19, 2007
17 4:15 P.M.18 TRANSCRIPT OF PROCEEDINGS - Removal proceeding
19 BEFORE THE HONORABLE MARTIN C. ASHMAN, Magistrate Judge

20 APPEARANCES:

21 For the Government:

22 HON. PATRICK J. FITZGERALD
23 219 South Dearborn Street
24 Chicago, Illinois 60604
25 BY: MR. BENJAMIN F. LANGNER

For the Defendants:

THOMAS M. BREEN AND ASSOCIATES
53 West Jackson Boulevard
Suite 1460
Chicago, Illinois 60604
BY: MR. TODD S. PUGH

ALSO PRESENT:

Ms. Sara M. Nieling
Pretrial Service Officer**FILED****MAY 29 2008 RC**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURTPAMELA S. WARREN, CSR, RPR
Official Court Reporter
219 South Dearborn Street
Room 1928
Chicago, Illinois 60604
(312) 294-8907

NOTE: Please notify of correct speaker identification.

TRANSCRIBED FROM DIGITAL RECORDING

REC'D JUN - 6 2008

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CLERK'S FILE COPY

UNITED STATES OF AMERICA,

Plaintiff,

DOCKETED

No. 07 CR 318

07 CR 320

vs.

MAY 30 2008

DAVID ANTHONY DOWNING, AZAR BEREND
NIEKAMP,

) Chicago, Illinois

) May 30, 2007

Defendants.

) 3:53 P.M.

TRANSCRIPT OF PROCEEDINGS - Hearing
BEFORE THE HONORABLE MARTIN C. ASHMAN, Magistrate Judge

APPEARANCES:

For the Government:

HON. PATRICK J. FITZGERALD
219 South Dearborn Street
Chicago, Illinois 60604
BY: MR. BENJAMIN F. LANGNER

For the Defendants:

THOMAS M. BREEN AND ASSOCIATES
53 West Jackson Boulevard
Suite 1460
Chicago, Illinois 60604
BY: MR. TODD S. PUGH

For Defendant Niekamp:

MR. DANIEL ELI RADAKOVICH
900 West Jackson Boulevard
Suite 5 East
Chicago, Illinois 60607

FILED
MAY 29 2008 RC

PAMELA S. WARREN, CSR, RPR
Official Court Reporter
219 South Dearborn Street
Room 1928
Chicago, Illinois 60604
(312) 294-8907

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

NOTE: Please notify of correct speaker identification.

1 TRANSCRIBED FROM DIGITAL RECORDING

2 IN THE UNITED STATES DISTRICT COURT
3 NORTHERN DISTRICT OF ILLINOIS
4 EASTERN DIVISION

5 UNITED STATES OF AMERICA

6 Plaintiff,

7 vs.

8 DAVID ANTHONY DOWNING, DANIEL FRANCIS)

9 BERGER, AZAR BEREND NIEKAMP,

10 Defendants.

DOCKETED

MAY 30 2008

CLERK'S FILE COPY

No. 07 CR 318

07 CR 319

07 CR 320

) Chicago, Illinois

) May 21, 2007

) 3:49 P.M.

11 TRANSCRIPT OF PROCEEDINGS - Status
12 BEFORE THE HONORABLE MARTIN C. ASHMAN, Magistrate Judge

13 APPEARANCES:

14 For the Government:

HON. PATRICK J. FITZGERALD
219 South Dearborn Street
Chicago, Illinois 60604
BY: MR. STEVEN J. DOLLEAR

15 For Defendant Downing:

THOMAS M. BREEN AND ASSOCIATES
53 West Jackson Boulevard
Suite 1460
Chicago, Illinois 60604
BY: MR. TODD S. PUGH

16 For Defendant Berger:

MR. GARY WAITE ADAIR
900 West Jackson Boulevard
Suite 5 East
Chicago, Illinois 60607

17 **FILED**

18 **MAY 29 2008 RC**

19 **MICHAEL W. DOBBINS**
20 **CLERK, U.S. DISTRICT COURT**

PAMELA S. WARREN, CSR, RPR
Official Court Reporter
219 South Dearborn Street
Room 1928
Chicago, Illinois 60604
(312) 294-8907

22 **NOTE: Please notify of correct speaker identification.**